

1 UNITED STATES DISTRICT COURT

2 Northern District of California

3

4 BSD, INC., et al., No. C 10-5223 SBA (MEJ)

5 Plaintiffs,

ORDER TO SHOW CAUSE

6 v.

7 EQUILON ENTERPRISES, LLC, et al.,

8 Defendants.
9 _____ /

10 On August 21, 2013, Defendant Equilon Enterprises, LLC filed a Motion for Attorney's Fees
11 and Costs against Plaintiff Youstine, Inc. Dkt. No. 144. The Honorable Saundra Brown Armstrong,
12 the presiding judge in this case, subsequently referred the matter to the undersigned to prepare a
13 report and recommendation. Dkt. No. 146. However, Youstine has failed to file an opposition
14 pursuant to Civil Local Rule 7. Pursuant to Judge Armstrong's Civil Standing Order, "[t]he failure
15 of the opposing party to file a memorandum of points and authorities in opposition to any motion
16 shall constitute a consent to the granting of the motion." See Judge Armstrong's Civil Standing
17 Order, effective September 21, 2012 at ¶ C.6. Accordingly, the Court hereby VACATES the
18 October 10, 2013 hearing and ORDERS Youstine to show cause why Equilon's Motion should not
19 be granted in compliance with Judge Armstrong's Standing Order, as well as for failure to comply
20 with court deadlines. Youstine shall file a declaration by September 19, 2013. If a responsive
21 declaration is filed, the Court shall either issue an order based on the declaration or conduct a
22 hearing on October 3, 2013 at 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden Gate Avenue, San
23 Francisco, California.

24 **IT IS SO ORDERED.**25
26 Dated: September 12, 201327
28

Maria-Elena James
United States Magistrate Judge